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UNITED STATES DISTRICT COURT

SOURTHERN DISTRICT OF NEW YORK

CHRISTINA ELWELL, Plaintiff, v. GOOGLE, INC., et al., Defendants.	ECF CASE CASE NO.: 05-CV-06487 (DLC) DECLARATION OF MARINA C. TSATALIS IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL ARBITRATION AND FOR DISMISAL OF ACTION OR, IN THE ALTERNATIVE, FOR A STAY OF PROCEEDINGS PENDING ARBITRATION

I, Marina C. Tsatalis, declare:

1. I am a partner at the law firm of Wilson Sonsini Goodrich & Rosati, counsel of record for Defendants Google Inc. and Timothy Armstrong (jointly "Defendants") in this case. I am duly licensed to practice law in California, New Jersey and Pennsylvania. My

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motion to be admitted to the New York Bar is pending and, in the interim, I am awaiting the necessary certificates to file a motion to appear *pro hac vice*. The matters set forth herein are based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. This Declaration is submitted in support of Defendants' Motion to Compel Arbitration and for Dismissal of Action or, in the Alternative, for a Stay of Proceedings Pending Arbitration.

2. Attached hereto as Exhibit A is a true and correct copy of the Employment, Confidential Information, Invention Assignment and Arbitration Agreement reflecting Plaintiff's signature that I received from Google.
3. On August 22, 2005, I sent a letter to Plaintiff's counsel requesting that she agree to arbitrate Plaintiff's claims against Defendants. A true and correct copy of my letter is attached hereto as Exhibit B.
4. On August 25, 2005, I received a letter from Plaintiff's counsel refusing to arbitrate any of Plaintiff's claims. A true and correct copy of the letter that I received is attached hereto as Exhibit C.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this Declaration was executed on August 29, 2005 in Palo Alto, California.

Marina C. Tsatalis

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